# SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

March 29, 2002

**BY ELECTRONIC FILING**

Marjorie Reed Greene
Associate Bureau Chief
Cable Services Bureau
Federal Communications Commission
445 - 12th Street, S.W.
Washington, DC 20554

> Re: **City Signal Communications, Inc.**
> **Written Ex Parte - CS Docket No. 00-253**

Dear Ms. Greene:

Pursuant to section 1.1206(b) of the Commission's Rules, City Signal Communications, Inc. ("City Signal") requests that the FCC act on its petition under section 253(d) of the Telecommunications Act of 1996 to preempt the unlawful rights-of-way access requirements of the City of Cleveland Heights, Ohio.

In a companion letter filed with the Commission on March 22, 2002, City Signal requested that, in light of its successful completion of negotiations with the City of Pepper Pike, Ohio, the preemption petition in CS Docket No. 00-255 be held in abeyance for 60 days pending fulfillment by the City of Pepper Pike of its obligations under an agreement reached between the parties.

However, as indicated in the recent correspondence submitted by the City of Cleveland Heights and City of Signal in CS Docket No. 00-253, the instant matter is still very much in dispute. Accordingly, City Signal requests that the FCC expeditiously resolve its section 253(d) petition against the City of Cleveland Heights, which remains pending before the Commission.

Please feel free to contact us if you have any questions or need additional information regarding City Signal's petition.

Respectfully submitted,

/s/ Kathy Cooper

Jeffrey M. Karp
Kathy L. Cooper

Counsel for City Signal Communications, Inc.


JMK/ssm

cc:    John Gibbon, Esq., Walter & Haverfield
       Lisa Lutz, Esq., City Signal
       Mr. Alan Brecher, City Signal


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